IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION No.2116 OF 2005

Kirit Somaiya ...Petitioner

Vs.

State of Maharashtra & Ors ... Respondents

Mr. Kirit Somaiya, in person.
Mr. R. J. Mane, AGP for State.
Mr. A. R. Joshi for BMC.

CORAM : V. R. KINGAONKAR, J.
(VACATION JUDGE)

DATE : MAY 19, 2006.

P.C. :-

. The second progress report of Mithi river forwarded by Dr. Vikas Todwalkar,Project Director and Member Secretary is taken on record. Heard counsel and considered the progress report. It is submitted that silt removed from the river bed is stacked at the site. It is required to be removed from the site and there is likelihood of serious problem, if the rains would lash the city and create water stagnation due to blockage of Mithi river. The MMRDA and concerned authority is directed to immediately take steps and clear the excavated material, if not already cleared and to submit afresh report regarding the removal of excavated material, debris and silt, before the Vacation Judge on 31st May, 2006. The MMRDA to consider the objection regarding unauthorised constructions sprang along side of the river track of half Kilometer and to apprise the Collector in this behalf. The necessary steps

shall be taken immediately, by the Collector for removal of such structures if the structures are found to be unauthorised and are likely to create blockage in the clearance of Mithi river track/bed.

[V. R. KINGAONKAR, J.]